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COOLIT SYSTEMS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASETEK HOLDINGS, INC. and ASETEK A/S,

Plaintiffs,

v.

COOLIT SYSTEMS INC.,

Defendant.

CASE NO. 3:12-CV-04498-EMC

**JOINT STIPULATION TO EXTEND
DISCOVERY DEADLINE; ~~[PROPOSED]~~
ORDER**

1 Plaintiffs Asetek Holdings, Inc. and Asetek A/S (“Asetek”) and Defendant CoolIT Systems
 2 Inc. (“CoolIT”) jointly stipulate with the Court’s permission to a partial extension of the current
 3 deadline for completion of non-expert discovery. In its Case Management and Pretrial Order for
 4 Jury Trial of January 6, 2014 (Dkt. No. 163), the Court set April 10, 2014, as the cut-off date for fact
 5 discovery. The parties have agreed that the deposition of Geoff Lyon, in his individual capacity and
 6 as CoolIT’s 30(b)(6) designee, will occur on April 11, 2014 and will continue through no later than
 7 Monday April 14, 2014, if necessary. Therefore, the parties stipulate to and request that the Court
 8 grant a partial extension of the non-expert discovery deadline, limited to the deposition of Geoff
 9 Lyon, up to and including April 14, 2014.

10 By his signature below, counsel for Plaintiffs Asetek Holdings, Inc. and Asetek A/S attests
 11 that counsel for Defendant CoolIT concurs in the filing of this document.

12 Dated: April 8, 2014

13 FINNEGAN, HENDERSON, FARABOW,
 14 GARRETT & DUNNER, LLP

15 By: /s/ Jeffrey D. Smyth
 16 Jeffrey D. Smyth
 17 Attorneys for Plaintiffs
 Asetek A/S and Asetek Holdings, Inc.

18 Dated: April 8, 2014

19 BLANK ROME LLP

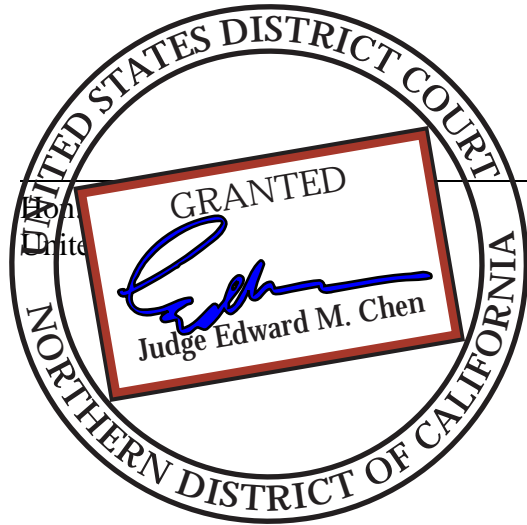
20 By: /s/ Joel Dion
 21 Joel Dion
 22 Attorneys for Defendant
 23 CoolIT Systems Inc.
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[~~PROPOSED~~] ORDER

Pursuant to the parties' stipulation, the Court partially extends the deadline for completion of non-expert discovery, limited to the deposition of Geoff Lyon, up to and including April 14, 2014.

IT IS SO ORDERED.

Dated: 4 / 9 / 14



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ASETEK HOLDINGS, INC. and ASETEK A/S

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 ASETEK HOLDINGS, INC. and ASETEK A/S,

14 Plaintiffs,

15 v.

16 COOLIT SYSTEMS INC.,

17 Defendant.
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CASE NO. 3:12-CV-04498-EMC

**DECLARATION OF JEFFERY D. SMYTH
IN SUPPORT OF JOINT STIPULATION
TO EXTEND DISCOVERY DEADLINE**

1 I, Jeffrey D. Smyth, declare as follows:

2 I am an attorney licensed to practice in California and before this Court, and am an associate
3 with Finnegan, Henderson, Farabow, Garrett & Dunner LLP, counsel for Plaintiffs Asetek Holdings,
4 Inc. and Asetek A/S (“Asetek”). I submit this Declaration in Support of the Joint Stipulation to
5 Extend Discovery Deadline (“Stipulation”) filed concurrently herewith. The matters stated herein
6 are based upon my personal knowledge, and if called as a witness, would testify as to the following
7 statements.

8 Asetek and Defendant CoolIT Systems Inc. (“CoolIT”) jointly stipulate, with the Court’s
9 permission, to amend the Case Management and Pretrial Order for Jury Trial of January 6, 2014
10 (Dkt. No. 163), as provided in the Stipulation. The parties have agreed that the deposition of Geoff
11 Lyon, in his individual capacity and as CoolIT’s 30(b)(6) designee, will occur on April 11, 2014 and
12 will continue through no later than Monday April 14, 2014, if necessary. These proposed
13 modifications to the schedule do not result in any prejudice to the parties and do not affect any other
14 dates set by the Court. The parties therefore respectfully request that the Court enter the parties’
15 Joint Stipulation to Extend Discovery Deadline.

16 The previous requested modifications of time in this case are as follows: a stipulation to
17 extend time for CoolIT to respond to the complaint (Dkt. No. 10); a stipulated order to change times
18 for responses to defendant’s motions to stay pending reexaminations and motion to dismiss (Dkt.
19 No. 28); a stipulated order rescheduling case management conference (Dkt. No. 39); a stipulated
20 order to amend case management order (Dkt. 75); a stipulation to change the time for Asetek to
21 respond to CoolIT’s motion for partial summary judgment (Dkt No. 98); a stipulation to change time
22 to file responsive and reply claim construction briefs (Dk. No. 131); a stipulated order extending
23 time to file reply claim construction briefs (Dkt. No. 144); and a stipulated order modifying partial
24 summary judgment supplemental discovery and briefing schedule (Dkt. No. 147).

1 I declare under the penalty of perjury under the laws of the United States that the foregoing is
2 true and correct. Executed this 8th day of April, 2014, in Palo Alto, California.

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4 By: /s/ Jeffery D. Smyth
5 Jeffery D. Smyth
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